IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.3968 OF 2005

Shri Rizwan Abdullah Patel & Anr. : Petitioners

V/s.

Shri Aslam Ismail Patel & Ors. : Respondents

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Mr.Subodh S. Sawant for the petitioners.

Mr.S.G.Maheshwari for the respondent nos.1 to 9.

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CORAM : S.A. BOBDE, J.

September 21, 2005.

P.C.:

1. Rule, returnable forthwith.

Mr.Maheshwari waives service of rule on behalf of the respondent nos.1 to 9.

Heard by consent.

2. The only dispute between the parties is regarding certain documents which have been taken on record by the learned Asstt. Charity Commissioner, Thane. The learned counsel for the petitioners submits that the documents have been exhibited without an opportunity to the petitioners to object to their being exhibited. The

learned counsel for the respondent nos.1 to 9 states that the only thing that is exhibited is a list of documents at exh.14B and the documents filed along with list have not yet been exhibited. He agrees that the petitioners had a right to object to the exhibition of the documents when they are produced in the course of cross-examination. The Asstt. Charity Commissioner shall not exhibit the documents without following the procedure prescribed under Order 13 Rule 4 of the C.P.C.

3. Parties to act on authenticated copy of this order.

S.A. BOBDE, J.